

430 PCT/PTO 23 DEC 1999

FORM PTO-1390
(REV. 1-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
-3833PCT 617578-0

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/446738

INTERNATIONAL APPLICATION NO.
PCT/IL98/00297INTERNATIONAL FILING DATE
24 JUNE 1998PRIORITY DATE CLAIMED
24. JUNE 1997

TITLE OF INVENTION

"SYSTEM FOR PRODUCING AN ARTIFICIAL SOUND ENVIRONMENT"

APPLICANT(S) FOR DO/EO/US (1) Yuval COHEN; (2) Amir BAR-ON; and
(3) Giora NAVEH

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed^{and published} (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) will be filed belatedly with surcharge
10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - copy of PCT Written Opinion (10 pages)
 - copy of Notification of Transmittal of International Preliminary Exam Report (1 page)
 - copy of International Preliminary Exam Report (8 pages)
 - copy of Response to International Preliminary Examination Report including amended claim pages 20-23 in which the amendments appear underlined and bracketed, and a revised set of claims (amended sheets 20-23) - (9 pages))
 - copy of International Search Report (4 pages)
 - copy of letter to the Examiner with copies of claims amended during IPEA

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO

and International Search Report not prepared by the EPO or JPO \$ 970.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$ 840.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 760.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 670.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS NUMBER FILED NUMBER EXTRA RATE

Total claims 15 - 20 = 0 x \$ 18.00 \$ 0

Independent claims 4 - 3 = 1 x \$ 78.00 \$ 78.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$260.00 \$ 0

TOTAL OF ABOVE CALCULATIONS = \$ 918.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement
must also be filed (Note 37 CFR 1.9, 1.27, 1.28). + \$

SUBTOTAL = \$ 918.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)). \$

TOTAL NATIONAL FEE = \$ 918.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$

TOTAL FEES ENCLOSED = \$ 918.00

Amount to be
refunded: \$

charged: \$

a. ☒ A check in the amount of \$ 918.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 12-0415. A duplicate copy of this sheet is enclosed.NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Date: 12/23/99

LADAS & PARRY
5670 Wilshire Blvd., #2100
Los Angeles, California 90036-5679

Telephone No.: (323) 934-2300

Telefax No.: (323) 934-0202

SIGNATURE

Richard P. Berg
NAME

28,145

REGISTRATION NUMBER

Applicant or Patentee: YUVAL COHEN ET AL.Attorney's Docket No. B-3833 PCT 617578-0U.S. Serial No. 09/446,738

Filed or Issued: _____

For: "SYSTEM FOR PRODUCING AN ARTIFICIAL SOUND ENVIRONMENT"INTERNATIONAL APPLN. NO. PCT/IL98/00297INTERNATIONAL FILING DATE: 24 JUNE 1998

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) and 1.27(b)) -- INDEPENDENT INVENTOR(S)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "SYSTEM FOR PRODUCING AN ARTIFICIAL SOUND ENVIRONMENT" described in

☐ the specification filed herewith.

☐ application serial no.: _____, filed _____.

☐ patent no. _____, issued _____.

☒ International Appln. No. PCT/IL98/00297, filed 24 JUNE 1998

I have not assigned, granted, conveyed or licensed and am under no obligation under contact or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

☐ no such person, concern, or organization

☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME BE4 LTD.

ADDRESS SCIENCE BUILDING #1, 10 PLAUT STREET, RABIN SCIENCE PARK, REHOVOT 76122, ISRAEL

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

YUVAL COHEN

Name of First Inventor

[Signature]
Signature of First Inventor

13/1/2000
Date

AMIR BAR ON

Name of Second Inventor

[Signature]
Signature of Second Inventor

Jan 13 2000
Date

GIORA NAVEH

Name of Third Inventor

[Signature]
Signature of Third Inventor

1/13/2000
Date

00446738-004000

Applicant or Patentee: YUVAL COHEN, ET AL.Attorney's Docket No.: B-3833 PCT 617578-0U.S. Serial No.: 09/446,738

Filed or Issued: _____

For: "SYSTEM FOR PRODUCING AN ARTIFICIAL SOUND ENVIRONMENT"INTERNATIONAL APPL. NO. PCT/IL98/00297INTERNATIONAL FILING DATE: 24 JUNE 1998**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(F) AND 1.27© - SMALL BUSINESS CONCERN**

I hereby declare that I am:

☐ the owner of the small business concern identified below:☒ an official of the small business concern empowered to act on behalf of the concern identified below:Name of Concern: BE4 LTD.Address of Concern: Science Building #1, 10 Plaut Street, Rabin Science Park, Rehovot
76122, ISRAEL

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: "SYSTEM FOR PRODUCING AN ARTIFICIAL SOUND ENVIRONMENT"
by inventor(s): YUVAL COHEN; AMIR BAR ON; and GIORA NAVEH

☐ the specification filed herewith.☐ U.S. Application serial no.: _____, filed _____.☐ patent no. _____, issued _____.☒ INTERNATIONAL APPL. NO. PCT/IL98/00297☒ INTERNATIONAL FILING DATE: 24 JUNE 1998

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below*, and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9© or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: HAIM LEVYTitle of Person Other Than Owner: CEOAddress of Person Signing: 10 PLAUT ST. REHOVOT 76122 ISRAELSignature: [Signature] Date: 12/01/2000

Haim Levy, CEO

ד"ר 4-ב'מ

512476318 ד.פ.

003720 09/446,738

IN THE UNITED STATES DESIGNATED OFFICE DO/US)

REGARDING THE INTERNATIONAL APPLICATION OF
Yuval COHEN, ET AL.

ENTITLED: "SYSTEM FOR PRODUCING AN ARTIFICIAL SOUND ENVIRONMENT"

INTERNATIONAL APPLN. NO. PCT/IL98/00297

Our Ref: B-3833 PCT 617578-0

Commissioner of Patents and Trademarks
BOX PCT
Washington, D.C. 20231

Attn: United States Designated/Elected Office (DO/EO/US)

INTERNATIONAL STAGE EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL128325115US

Date of Deposit: December 23, 1999

I hereby certify that the following attached papers or fee

- postcard
- check for \$918.00
- Transmittal Letter (2 pages)
- copy of International Application as filed and published consisting of:
 - Specification (19 pages)
 - Claims (3 pages)
 - drawings (13 sheets)
- copy of letter to Examiner re: Claims amended during IPEA (1 page) with enclosures (7 pages)
- copy of PCT Written Opinion (10 pages)
- copy of Notification of Transmittal of International Preliminary Exam Report (1 page)
- copy of International Preliminary Exam Report (8 pages)
- copy of Response to International Preliminary Examination Report including amended claim pages 20-23 in which the amendments appear underlined and bracketed, and a revised set of claims (amended sheets 20-22)-(9 pages))
- copy of International Search Report (4 pages)

are being deposited with the United States Postal Service on this date December 23, 1999 in an envelope as "Express Mail Post Office

INTERNATIONAL STAGE EXPRESS MAIL CERTIFICATE
December 23, 1999
Page 2

to Addressee", mailing Label Number EL128325101US, addressed to
the:

Commissioner of Patents and Trademarks
BOX PCT
Washington, D.C. 20231

Attn: United States Designated/Elected Office (DO/EO/US)
PCT International Division

Date: December 23, 1999

Diane Shapiro
Diane Shapiro

09/446738

430 Rec'd PCT/PTO 23 DEC 1999

EXPRESS MAIL EL128325115US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yuval Cohen, et al. Re: Claims amended during
IPEA

U.S. Serial No.: Our Ref: B-3833 PCT 617578-0

U.S. Filing date: Date: December 23, 1999

International Appln. No.
PCT/IL98/00297

International Filing Date:
24 June 1998

For: "SYSTEM FOR PRODUCING AN
ARTIFICIAL SOUND ENVIRONMENT"

Hon. Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

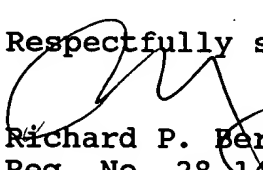
ATTN: United States Designated/Elected Office (DO/EO/US)

Sir:

The claims in this application were amended during IPEA. For the Examiner's convenience, a copy of the claims as amended during IPEA and a copy of the claims in which the amendments appear underlined and bracketed are enclosed.

The Examiner should ensure that the amendments made during IPEA are entered.

Respectfully submitted,


Richard P. Berg
Reg. No. 28,145
Attorney for Applicant
LADAS & PARRY
5670 Wilshire Boulevard,
#2100
Los Angeles, California 90036
(323) 934-2300

RPB/ds

Enclosures: copy of claims amended during IPEA
copy of claims in which the amendments appear
underlined and bracketed

a:(10) letter